

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : GOLDSTEIN et al
Serial No. : 10/562,765
Confirm. No. : 7851
Filed : December 28, 2005
For : PROCESS AND DEVICE . . .
Art Unit : 1725
Examiner : Sharon Latimer
Dated : October 29, 2008

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 CFR 1.136 (a)

Sir:

The Office Action dated July 15, 2008 provided for a shortened statutory period for response of three months.

The shortened statutory period expired October 15, 2008.

Since the attached response is being filed within the first month pursuant to 37 CFR 1.136(a) Applicant respectfully requests the Examiner to charge the appropriate petition fee of \$130.00 (fee code 1251).

Respectfully submitted
for Applicant(s),



By: _____
John James McGlew
Reg. No.: 31,903
For: MCGLEW AND TUTTLE, P.C.

JJM:tf

DATED: October 29, 2008
 SCARBOROUGH STATION
 SCARBOROUGH, NEW YORK 10510-9227
 (914) 941-5600

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND
TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO
OUR DEPOSIT ACCOUNT 13-0410.